

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ESTATE OF JOHN P. O'NEILL, SR. : WAIVER OF SERVICE OF SUMMONS

v. :

AL BARAKA, ET AL : CASE NO.: 04 CV 1923 (RCC)

:

TO: JERRY S. GOLDMAN & ASSOCIATES, PC  
111 Broadway, 13th Floor  
New York, NY 10006  
Attn: Jerry S. Goldman, Esquire

I acknowledge receipt of your request that I waive service of a Summons in the action of Estate of John P. O'Neill, Sr. v. Al Baraka, *et al*, which is Case Number 04 CV 1923 (RCC) in the United States District Court for the Southern District of New York. I have also received two (2) copies of the Complaint, two (2) copies of the First Amended Complaint, two (2) copies of the Second Amended Complaint in the action, two (2) copies of this instrument, and a means by which I can return the signed Waiver to you without cost to me.

I agree to save the cost of service of a Summons and an additional copy of the Complaint in this lawsuit by not requiring that I be served with judicial process in the manner provided by Federal Rules of Civil Procedure Rule 4.

I will retain all defenses or objections to the action or to the jurisdiction or venue of the Court except for objections based on a defect in the Summons or in the service of the Summons.

3/23/5  
Date

By: 

Daniel M. Segal  
Shearman & Sterling LLP  
599 Lexington Avenue  
New York, NY 10022

Attorneys for Saudi American Bank